

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NATIONAL CREDIT UNION)	
ADMINISTRATION BOARD,)	
as Liquidating Agent of Southwest Corporate)	
Federal Credit Union and Members United)	
Corporate Federal Credit Union,)	Case No. 13-cv-6731 (DLC)
)	
Plaintiff,)	
)	
v.)	NOTICE OF NCUA'S MOTION
)	FOR PARTIAL SUMMARY
)	JUDGMENT ON UBS'S DUE
UBS SECURITIES LLC,)	DILIGENCE AND REASONABLE
)	CARE DEFENSES
Defendant.)	
)	ORAL ARGUMENT REQUESTED
)	

PLEASE TAKE NOTICE that Plaintiff National Credit Union Administration Board (“NCUA”), as liquidating agent of Southwest Corporate Federal Credit Union and Members United Corporate Federal Credit Union, by and through its undersigned counsel, relying upon (i) its Memorandum of Law in Support of its Motion for Partial Summary Judgment on UBS’s Due Diligence and Reasonable Care Defenses, (ii) the Declarations and Exhibits annexed thereto, (iii) its Local Rule 56.1 Statement of Undisputed Material Facts in Support of its Motion for Partial Summary Judgment on UBS’s Due Diligence and Reasonable Care Defenses, and (iv) all prior proceedings and matters of record in this case, will move this Court before the Honorable Judge Denise L. Cote, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007, at a date and time to be determined by the Court, for (i) an order pursuant to Federal Rule of Civil Procedure 56(a) granting summary judgment against Defendant UBS Securities LLC, and (ii) such further relief as the Court deems just and proper. Oral argument is requested.

As authorized by the Stipulation and Order approved and filed by the Court on February 1, 2016, in the documents supporting this Motion are being filed initially under seal and will be filed in redacted form within three weeks of the date of this Motion. As further stated in the same Stipulation and Order, the parties are to meet and confer regarding the page limits and briefing schedule for oppositions and reply memoranda of law.

Date: February 5, 2016

Respectfully submitted,

/s/ David C. Frederick

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